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To: Commissioner for Patents **From:** Steven L. Nichols
Fax: 571-273-8300 **Pages:** 13 (Including Coversheet)
Phone: **Date:** May 29, 2008
Re: Application No.: 09/353,583

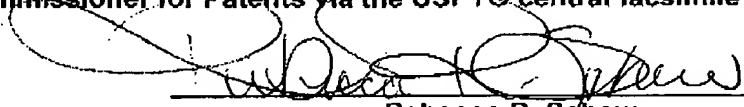
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Thank you.

Transmitted, herewith, are the following documents:

1. Fax Coversheet (1 page)
2. Transmittal Letter for Response/Amendment with Duplicate Copy (2 pages)
3. Amendment Following the Decision by the Board of Appeals (10 pages)

I hereby certify that this correspondence is being facsimile transmitted to the Commissioner for Patents via the USPTO central facsimile number, (571) 273-8300.


Rebecca R. Schow
May 29, 2008

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GEN-040

Serial No.: 09/353,583

MAY 29 2008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application: Samuel Reichgott et al.

Examiner: TRAN, Hai V.

Application No.: 09/353,583

Group Art Unit: 4126

Filed: July 15, 1999

Confirmation No.: 3801

Title: "Method and Apparatus for Preventing
Disruptions in Set-Top Terminal
Function Due to the Download of
Updated Programming or Data to the
Set-Top Terminal"

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Sir:

Transmitted herewith is/are the following in the above-identified application:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Response/Amendment | <input type="checkbox"/> Petition to extend time to respond |
| <input type="checkbox"/> New fee as calculated below | <input type="checkbox"/> Supplemental Declaration |
| <input checked="" type="checkbox"/> No additional fee | <input type="checkbox"/> Other: _____ |

CLAIMS AS AMENDED BY A LARGE ENTITY						
FOR	CLAIMS REMAINING AFTER AMENDMENT	NUMBER EXTRA	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEES
TOTAL CLAIMS	38	MINUS	46	= 0	X \$50.00	\$0.00
INDEP. CLAIMS	5	MINUS	7	= 0	X \$210.00	\$0.00
[] FIRST PRESENTATION OF A MULTIPLE DEPENDANT CLAIM					+ \$370.00	\$0.00
EXTENSION FEE	[] 1ST MONTH \$120.00	[] 2ND MONTH \$460.00	[] 3RD MONTH \$1050.00	[] 4TH MONTH \$1640.00		\$0.00
OTHER FEES:						\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$0.00

Please charge **\$0.00** to Deposit Account **18-0013/80113-0040**. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account **18-0013/80113-0040** pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account **18-0013/80113-0040** under 37 CFR 1.16, 1.17, 1.19, 1.20 and 1.21. A duplicate of this sheet is enclosed.

I hereby certify that this correspondence is being
transmitted to the US Patent and Trademark
Office via facsimile number **(571) 273-8300**
on **May 29, 2008**.
Number of pages transmitted: **13**

Signature: _____

Rebecca R. Schow

Respectfully submitted,

By: _____

Steven L. Nichols (Reg. No.: 40,326)
Attorney/Agent for Applicant(s)
Telephone No.: (801) 572-8066
Date: May 29, 2008

GEN-040

Serial No.: 09/353,583

DUPLICATE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application: Samuel Reichgott et al.

Examiner: TRAN, Hai V.

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EXTENSION FEE	[] 1ST MONTH \$120.00	[] 2ND MONTH \$460.00	[] 3RD MONTH \$1050.00	[] 4TH MONTH \$1840.00		\$0.00
OTHER FEES:						\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$0.00

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Group Art Unit: 4126

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Confirmation No.: 3801

AMENDMENT

FOLLOWING DECISION BY BOARD OF APPEALS

Commissioner for Patents
Mail Stop Amendment
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Commissioner:

In response to the Decision of the Board of Patent Appeals and Interferences
dated April 29, 2008, please consider the following.

A Listing of Claims begins on Page 2 of this response.

Remarks begin on Page 10 of this response.